

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 1. Administrative Procedures

Article 2. State Board Review of Executive Officer Actions

§ 60022. Record Before the State Board.

(a) The state board shall review the executive officer action based upon (1) the record on which the executive officer action was based; and (2) the contents of the petition(s) requesting state board review. Additionally, where the state board determines that additional evidence is necessary to its review of the action of the executive officer, it may consider such new evidence, provided that all interested persons who participated in any proceeding before the executive officer are given at least fifteen (15) days to respond to any evidence accepted by the board. Any person desiring the board to consider new evidence shall submit such evidence in writing no later than three (3) days prior to the hearing. Where the executive officer acted pursuant to a hearing, only persons who participated in the hearing may submit new evidence to the board.

(b) At the hearing at which the board considers the petition, the petitioner shall be afforded the opportunity to comment in support of the petition.

NOTE: Authority cited: Sections 39600 **an** 39601, Health and Safety Code. Reference: Section 39515, Health and Safety Code.

REFERENCE